APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/447,218	11/23/99	ABERG	A	4821-362

HM12/0525

PENNIE & EDMONDS LLP
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NEW YORK NY 10036

EXAMINER
CRANE, L

ART UNIT	PAPER NUMBER
1623	13

DATE MAILED:

05/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory Action	Application No. 09/447,218	Applicant(s): Aberg et al.	
	Examiner L. E. Crane	Group Art Unit 1623	

THE PERIOD FOR RESPONSE: [check only a) or b)]
- a) [X] expires -4- months from the mailing date of the final rejection.
- b) [] expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 C.F.R. §1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 C.F.R. § 1.17 will be calculated from the date of the originally set shortened statutory period for response of as set forth in b) above.

[] Appellant's Brief is due two months from the date of the Notice of Appeal filed on [ ] (or within any period for response set forth above, whichever is later). See 37 C.F.R. § 1.19(d) and 37 C.F.R.§ 1.192(a).

Applicant's response to the final rejection, filed on -[]- has been considered withe the following effect, but is NOT deemed to place the application in condition for allowance:

[X] The proposed amendment(s):
- [X]   will be entered upon the filing of a Notice of Appeal and an Appeal Brief.
- []   will not be entered because:
  - []   they raise new issues that would require further consideration and/or search. (See note below).
  - []   they raise the issue of new matter. (See note below).
  - []   they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issue for appeal.
  - []   they present additional claims without cancelling a corresponding number of finally rejected claims.
  - NOTE: [].

[X]   Applicant's response has overcome the following rejection(s): <u>rejections of record under 35 USC §112.</u>

[] Newly proposed or amended claims -[]- would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

[X] The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>The art rejections of record have not been overcome.</u>

[] The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

[X] For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):
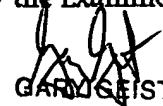
Claims allowed: **NONE**

Claims objected to: **NONE**

Claims rejected: **34-40 and 48-49*.**   {*As renumbered under 37 CFR §1.126.}

[] The proposed drawing correction filed on [_____] [] has [] has not been approved by the Examiner.
[] Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). [_____]

[] Other [_____]

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